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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/478,313	01/06/2000	MICHAEL HUSAYN KALANTAR	YO999-417	1524

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EXAMINER
NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	

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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

Office Action Summary	**Application No.** 09/478,313	**Applicant(s)** KALANTAR ET AL.
	Examiner Quang N. Nguyen	**Art Unit** 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>22 January 2003</u> .

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____ .

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)	4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .	6) ☐ Other:

U.S. Patent and Trademark Office
PTO-326 (Rev. 04-01)   Office Action Summary   Part of Paper No. 4

DETAILED ACTION

1.   Claims 1-20 are presented for examination. Claims 1, 7, 15 and 20 have been

amended.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the
United States before the invention thereof by the applicant for patent, or on an international application
by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1-13 and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated

by Hoffman (US 6,460.071).

4.   As to claim 1, Hoffmann teaches a system and method for providing data from a

first source entity to a second entity, wherein said second entity is to perform processing

using the data, comprising the steps of:

transferring the data from the first source entity to the second entity (client/web

server transmission/environment);

storing the data as stored data at said second entity (stores strings of textual

information, Hoffmann, C4: L48-51);

associating a data handle to the stored data, wherein said first and said second

entity each are aware of the handle (reference to the stored data will be made using the

handle, Hoffmann, C4: L60-61 and C5: L3-5); and

invoking at least one service on said data by using said data handle (using the

data handle to lookup and retrieve the stored data, Hoffmann, C5: L3-5 and L28-42).

5.   As to claim 2, Hoffmann teaches the method as in claim 1, further comprising

storing the data handle with the stored data (Hoffmann, C5: L3-5, and L20-27).

6.   As to claims 3, 11 and 12, Hoffmann teaches the method as in claim 1, wherein

said transferring and said invoking are done simultaneously and wherein said method

further comprises invoking at least one successive service, which comprises data

transfer across a network (data transmission back and forth in client/server

environment) and comprises encryption of said data (encrypted client login ID/password

used to access server), on said data by using said data handle after said storing and associating steps (Hoffmann, C5: L20-42).

7.   As to claims 4-9, Hoffmann teaches the method as in claim 1, wherein the first entity invokes the at least one service by providing at least service invocation information and said data handle to said second entity; the first entity invokes a plurality of services on said data (requests to store a piece of data, to retrieve the stored data, or to reaccess the same data again) by transferring a composite service invocation to said second entity; said associating of the handle is conducted at the first entity and wherein the handle is transferred to the second entity and/or vice versa (the data handle is passed between processes back and forth between client and server); said associating of the handle is performed by the third entity and communicated to said first and said second entity; said associating of handle is performed implicitly by the transfer of said data (Hoffmann, C5: L20-42).

8.   As to claim 10, Hoffmann teaches the method as in claim 1, further comprising transforming said data from a first representation to a second representation (extracting data from a database and reformatting that data for presentation to the client, Hoffmann, C3: L65-67 and C4: L1-5).

9.   As to claim 13, Hoffmann teaches the method as in claim 4, wherein said at least

one service comprises file I/O by the second entity (Hoffmann, I/O controllers 206 and

210 of Fig. 2, C4: L17-22).

10.   Claims 15-19 are corresponding system claims of claims 1-13; therefore, they

are rejected under the same rationale.

11.   Claim 20 is a corresponding program storage device claim of claim 1; therefore, it

is rejected under the same rationale.

Claim Rejections - 35 USC § 103

12.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

13.   Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Hoffmann, in view of Draves (US 5,802,590).

14.   As to claim 14, Hoffmann teaches a method as in claim 4, wherein the service is provided by the second entity but does not explicitly teach that the second entity comprises a kernel.

In the related art, Draves teaches a system and method for allowing processes to access resources wherein a kernel of an operating system maintains a system-wide resource table containing resource entries (Draves, Figs. 2-3 and corresponding text, C3: L42-67, C4: L1-14, L48-67, C5 and C6: L1-20).

Therefore, it would have been obvious to one having ordinary skill in the art to modify and combine the teachings of Hoffmann and Draves to include a kernel in the second entity because it would allow the system to use the kernel to hash the key to generate the handle associating to the stored resources.

Response to Arguments

15.   In the remarks, applicant argued in the substance that

(A)   Prior Art does not teach "the transferring of data from a first source entity to a second entity".

As to point (A), Hoffmann teaches the requests, data and data handle are sent back and forth to the client browser in the client/server (first/second entity) environment, i.e., transferring of data from a first source entity to a second entity (Hoffmann, C4: L1-3, L48 and C5: L20-22).

(B)   Prior Art does not teach, "associating a handle to the stored data".

As to point (B), Hoffmann teaches reference to the stored data will be made using the handle and the handle will be used to lookup to retrieve the stored data (Hoffmann, C4: L60-61 and C5: L28-32).

(C)   Prior Art does not teach, "invoking a service on the data using the handle".

As to point (C), Hoffmann teaches that the handle is created and used to store the data, then later the data handle is used to lookup and retrieve the stored data as requested (Hoffmann, C5: L3-5 and L28-42).

(D)   Prior Art does not teach "the handle is overtly communicated from the second to the first entity".

As to point (D), Hoffmann teaches the handle can be stored and passed back and forth (i.e., communicated) between the client/server (first/second entity) as a variable in the URL, or exchanged as a cookie, i.e., the handle could be overtly communicated from the second to the first entity (Hoffmann, C5: L20-28).

16.   Applicant's request for reconsideration as well as arguments filed on 01/22/2003

have been fully considered but they are not deemed to be persuasive.

In response to applicant's argument that the references fail to show certain

features of applicant's invention, it is noted that the features upon which applicant relies

(i.e., in the Amendment, "common data, as distinguished from invocation-specific data",

"it is the data source which requests that data be stored" of page 12) are not recited in

the rejected claim(s).   Although the claims are interpreted in light of the specification,

limitations from the specification are not read into the claims.   See *In re Van Geuns*, 988

F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

17.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.   In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action.   In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

18.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang N. Nguyen whose telephone number is (703) 305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's primary, Le H. Luu, can be reached at (703) 305-9650. The fax phone numbers for the organization is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3800/4700.

Quang N. Nguyen

LE HIEN LUU
PRIMARY EXAMINER